Attachment to Independent Case Review Report For CDRU # 860 Case file # 95-290381.

Material Examiner:

Malone (RO)

Remarks:

Case resulted in trial, transcript available.

ndependent Review conducted	by: Steve Robertso	on	_		-	
Area(s) of Expertise Hair a	nd Fiber		•	<u> </u>		
Review commenced at: 3:15	PM (Time),	03/13/2001	(Date)			
File #: 95-290381						
Laboratory #(s): 91004076/	00122032	•	· 	-		·
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Trial testimony transcript(s) of	Michael Malone		27-244			
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Testimony Date(s):	Michael Malone			— Mar 29, 199	0	
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If yes, please id	entify and/or describe the material:	Submitting agency	· letter (dated 9-1	9-89)
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	Resul	ts of Review	•	
File #: 95-29	00381 Item or S	pecimen # Reviewed:	O1-O8. O13	-Q17, K1, K2, K4, K5
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	additional pages for any "No"	or "Unable to Deter	mine" Response	s
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Comments)
(Set forth by above question #, if applicable.
Use "Additional Comments" Sheet, if needed)

File #:	95-290381	
#1: With	microscopic hair examination, even with the best notes, there is no way	to determine the examination
was perf	ormed correctly.	•
#2: The	examination results set forth in the laboratory report are supported by the	bench notes, but the
documen	ntation is marginally adequate. The notes are not dated or initialed and are	e in pencil. The bench notes do
not docu	ment why the Negroid hair recovered from Q5 (victim's jumpsuit) is not	suitable for comparison.
The note	es conclude items Q4 and Q5 are torn, but there is no documentation of the	e observed characteristics
	to that conclusion.	
#3: Malc	one testified that "I processed all the items for hair and fibers" and "I rem	oved all the hairs from these
		•
Review	completed at: 4:00 PM (Time), 03/13/2001	(Date)
Total tin	ne spent conducting review (to nearest 1/4 hour): 0:45 hours.	
hereby c	ertify that I conducted this review in an independent, unbiased manner are locumented on this report consisting of a total of4	nd that the results of my review
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	· Steve Kolute	03/13/2001

Initialș:

Additional Comments (Set forth by question #, if applicable)

File #: 95-290381	•
#3 (continued): items". The notes indicate, and this reviewer has been told	, that technicians process and recover
the hair and fiber evidence and that Malone didn't do technician work.	
Malone testified twice that the hair recovered from the quilt and the jumps	uit are Negroid hair "fragments". His
laboratory report does not state that the hair are fragments. (see #4 helow)	
#4: Malone's hench notes do not indicate the Negroid hair recovered from	Q5 and Q6 are fragments. His notes
are not consistent with his testimony concerning this.	
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Initials: Sun